

SUIT AGAINST THE R. G. W.

Josie Frisk Asks \$15,000 for the Death of Her Husband.

A VALUABLE STRIP OF LAND.

IT IS 13 INCHES WIDE AND 115 FEET LONG ON SECOND SOUTH.

Verdict Against the Pullman Palace Car Company for \$320—Action for Contempt of Court—Harry Hammond's Depositions Taken for Use in the Gaylord Murder Trial.

In the case of Henry L. Henderson vs. the Pullman Palace Car Company, the jury appeared in court yesterday morning with a sealed verdict signed by ten jurors, awarding the plaintiff damages in the sum of \$320, the amount claimed.

A VALUABLE STRIP OF LAND.

Suit to Gain Possession of a Small Area on Second South.

The suit of Patrick Phelan et al. vs. Jane W. Romney et al. was called up before Chief Justice Zane without a jury yesterday morning. The action is brought to recover the possession of certain real estate and for \$5,000 damages. The plaintiffs allege that on June 4, 1892, they were the owners of a portion of lot 8, block 58, plat A, Salt Lake city survey, and that the defendants wrongfully took possession of and ousted the plaintiffs from the same and have ever since unlawfully retained possession of said land, wherefore plaintiffs pray for possession and damages as above. The land in dispute is a small strip about thirteen inches wide and 115 feet long, on Second South street, now occupied by the eastern extremity of the Mullan block.

The defendants deny that the plaintiffs are or were the owners of said land, and also set up the statute of limitations.

AGAINST THE R. G. W. RAILWAY.

Josie Frisk Claims \$15,000 Damages for the Death of Her Husband.

The next case taken up was that of Josie Frisk and daughter Emma Frisk vs. the Rio Grande Western Railway company. The complaint sets forth that John Frisk, the husband of the plaintiff, Mrs. Josie Frisk and the father of the child, was killed on Oct. 14, 1891, whilst following his occupation of a brakeman in the employ of said company on its line of railway, between Salt Lake city and Thistle, Utah, upon a freight train, upon which it is known as the Diamond branch of said line of railway; that owing to the carelessness and negligence of the company the track was obstructed by stones and debris by which the car was instantly derailed and Frisk violently thrown to the ground and under the trucks of said car and crushed and mangled and instantly killed, wherefore the plaintiff demands judgment for the sum of \$15,000 for damages.

The defendants in their answer allege that the plaintiff, Josie Frisk, on her own behalf and on behalf of her infant daughter Emma Frisk, of whom she was legally appointed guardian, did, on May 11, 1893, compound with the said cause of action and did receive from the defendant \$2,000 as the full settlement thereof and only released and discharged the defendant. In addition the defendants enter a general denial of all the material allegations of the plaintiff.

The plaintiff admitted that Mrs. Frisk had signed an agreement to settle the claim for \$2,000, whilst she was living at Hemingford, Neb., but alleges that same was obtained by fraud, that the claim agent of the company went to see Mrs. Frisk, who is an unsophisticated country girl and a foreigner living in the wilds of Nebraska, and that by misrepresentations obtained her signature to a compromise but Mrs. Frisk did not and never has received a cent of money from the company.

Attorneys C. S. Kinney and Day & Street appeared for the plaintiff, and Attorneys Bennett, Marshall & Bradley for the defendant company.

The case was fairly heard and was continued until this morning.

Short Orders.

James H. Walker & Co. vs. F. J. McLaughlin et al.; judgment for plaintiffs.

Abraham Hunter vs. Harriet Hunter; leave granted to file amended and supplemental answer.

McCormick Harvesting Machine Co.

vs. J. A. Marchant; leave granted to file affidavits on motion for a new trial within thirty days.

Zion's Savings Bank and Trust Co. vs. Joseph M. Spear; judgment for plaintiffs.

J. S. Cameron vs. Joseph W. Woodman; leave granted to file amended answer.

Daniel Alexander vs. Henry Monheim; dismissed without prejudice.

S. S. Walker estate, Chicago Title and Trust Co. substituted vs. Bountiful City et al.; order appointing Hyrum Page to serve summons on defendants.

Alexander P. Purvis vs. Peter Brown et al.; judgment for plaintiff; attorney's fee \$180.

Judgments Entered.

Judgments were yesterday entered in the Third district court as follows:

J. S. Cameron vs. Joseph Woodman; for the plaintiff for \$3,367.50.

H. L. Henderson vs. the Pullman Palace Car company; for the plaintiff for \$320.

Alexander P. Purvis vs. Peter C. Brown et al.; for the plaintiff for \$3,350.

Joseph Baumgartner vs. J. Pollock et al.; for the plaintiff for \$1,252.25.

Zion's Savings Bank & Trust company vs. Joseph M. Spear; for the plaintiff for \$11.40.

Joseph Huff vs. the Rio Grande Western Railway company; for the plaintiff for \$1 and \$48.50 costs.

Chicago Title & Trust company, substituted vs. Bountiful City et al.; for the plaintiff for \$733.90.

Suits Begun.

The North American Savings, Loan and Building company are suing Monson Bush in the Third district court to recover \$399.75 on a promissory note, secured by a mortgage.

Probate Court.

Only one order was made in the probate court yesterday, that in the matter of the estate of John L. Blythe, deceased; executor's account allowed.

Court Notes.

Harry Hammond was brought in from the penitentiary yesterday for the purpose of having his deposition in the Gaylord case taken by Assistant District Attorney Howat. Mr. Howat will be sent to the reform school at Washington, D. C., in about a week or ten days.

The hearing on the W. A. Stanton supplemental proceedings was postponed by consent until Saturday.

The examination in supplemental proceedings in the case of Wallace, Smuin & Co. vs. McLaughlin & Co. was resumed before Referee Harris and occupied all day and will again be taken up at 10 o'clock this morning.

The order made a few days ago commanding H. C. Lockhart to turn over \$2,000 to the estate of McLaughlin & Co. by yesterday morning, was not complied with and Messrs. Jones & Schroeder, the attorneys for the plaintiffs, are about to commence proceedings in contempt against Lockhart.

Sick-Headache yields to Beecham's pills, 3

Of Interest to Mining Men.

Mr. L. C. Trent begs to announce that he has arranged to open an office in the Knutsford block on the State street side, where he will be prepared to contract for the sale of mining machinery with improved designs. He will introduce to the mines of the west many valuable designs and improvements in mining machinery that his hitherto restricted connection has prevented in the past. He will offer only the best and most modern machinery and is now able to offer for the first time the most durable metal for the manufacture of stamp shoe roller shells and other repair parts for mills.

Mr. Trent has in preparation a splendidly arranged catalogue designed to illustrate and explain his machinery and repairs.

Remember.

That the Santa Fe is the only line running Pullman Palace sleeping cars, between Ogden and Salt Lake City and Chicago without change, and Pullman Reclining Chair cars between Ogden, Salt Lake City, Denver and Chicago.

Christmas and New Years Holidays. Excursions via Union Pacific.

For the holidays the Union Pacific will sell excursion tickets at rate of one fare for the round trip to any point in Utah, also at any point on the Union Pacific system outside of Utah within distance of 250 miles and to all points in Colorado.

Tickets to be sold Dec. 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, and Jan. 1st, 2nd, 3rd, 4th.

Tickets sold to Colorado points will be good for return until Jan. 15th.

THE ART EXHIBIT OPENED.

Brief Description of Some of the Gems.

SEVERAL SOCIAL EVENTS.

ENJOYABLE ENTERTAINMENT AT THE MANITOULAST EVENING.

Meeting of the Charity Ball Committee This Afternoon—The Ladies Play Cards for Charity—Mrs. Eisenman's Luncheon—St. Mark's Guild.

The formal opening of the art exhibit yesterday was marked by a large attendance of art lovers. A constant stream of people passed through the hall until the closing hours last night, and many lingered long before some of the gems displayed. It was a happy accident that placed Mr. Clawson's portrait of his wife as one of the last canvases to claim the attention of the visitor, who is sure to carry away a pleasant impression.

That the work of our artists is appreciated at home is shown by the fact that three gems in the collection were purchased last night.

The exhibit will not close until Christmas. The effects are rather mas, and have been briefly described all of the more notable works displayed.

The old time portrait of Mrs. Little is an exquisite bit of work by Clawson. It looks as though it might be painted on ivory, owing to the high finish, but a close inspection shows the grain of the canvass. The effects are rather strong, the treatment simple, yet convincing, and the harmony of the color is most pleasing.

Probably the best work shown by Harwood is his "Mountain and Valley." The scene is set out beyond the penitentiary, looking eastward, and the subject is one handled in Harwood's best style. He is especially successful in his treatment of the mountains, having kept his foreground and middle ground down and yet given them value. The coloring is restrained, without strong contrasts and very harmonious, the whole effect being pleasing in the extreme.

Mr. Evans' most striking picture is undoubtedly "Stacking Grain." The foreground is very strong, and has all the force that could be gotten out of paint to produce the sunny effect. Compared with the splendid work, however, the sky is weak.

The exhibit will be open at 10 this morning, and close at 10 p. m.

AT THE MANITOU.

An Enjoyable Entertainment and a Large Audience.

The spacious dining room at the Manitou was crowded last evening with an audience anxious to enjoy the literary and musical treat awaiting them. The object of the entertainment as Mrs. Norris naively expressed it was to "raise a little money for the dirty-faced, eager-eyed little waifs who gather outside St. Mark's cathedral every Christmas eve after the children's services and wistfully asked why they didn't get something."

Mrs. Norris, always a delightful entertainer, surpassed all former efforts last evening. Her readings covered the wide range from grave to gay, embracing extracts from Dickens' "Christmas Carol" and "Christmas Carol," "Oliver Twist," "Two Sides of a Picture," "Kitty of Coleraine," "The Naughty Little Girl" and "The New Church Organ" were humorous selections given in Mrs. Norris' inimitable manner. She closed the programme with a fine rendering of Burns' famous poem "A Man's Man for a' That."

Mrs. Woodrow sang "Corrine," a beautiful song "Day Dreams," and after an enthusiastic encore, "More and More." She was accompanied by Mr. H. S. Krouse, and a violin obligato by Mr. Willard Welch added not a little to the exquisite effect of the first number.

Mr. Seymour's baritone solo, "My Lady's Bower," was artistically sung and received the hearty approval of the audience. Mr. Seymour acknowledged the applause merely by a bow, much to the disappointment of the audience.

Mr. S. Krouse, who has been so long associated with his splendid rendering of "A Holy City," and in response to tumultuous applause "So Near to Me," Mr. Krouse's skill as a vocalist is only second to his well known ability as a pianist, and it is to be regretted that he sings so seldom in public.

At the close of the programme a collection was taken and \$37 was cheer-

fully given for the waifs. Mrs. Norris, in a few well chosen words, expressed her appreciation of the fine musical numbers and thanked the performers, also Mr. and Mrs. Page for their hospitality.

Punch and cake were served at the close of the programme, and the devotees of Terpsichore claimed the remainder of a delightful evening.

THE CHARITY BALL.

The Committees Will Meet with Mrs. Fox This Afternoon.

The committees in charge of the coming charity ball will meet at the home of Mrs. M. C. Fox this afternoon at 2 o'clock, when further details will be arranged.

Tickets were placed on sale at many of the stores yesterday, and the ladies of the committees are beginning a personal canvass, which already shows good results.

A CARD PARTY.

The Ladies Play Again for Sweet Charity.

The second of the series of card parties for charity's sake was given yesterday by Mrs. E. A. Smith at the home of her mother, Mrs. Weller. About forty ladies were present and five ladies who had made themselves responsible for the presence of four players and who failed to appear sent in their stead a silver dollar that will in an indirect way warm some shivering beneficiary.

The third meeting of the series will be held at the home of Mrs. Henderson at the Templeton hotel next Wednesday afternoon, when a room will be provided for those ladies who prefer sewing or fancy work to card playing.

They will thus be enabled to put the finishing touch on some delayed Christmas remembrance, spend the afternoon pleasantly, and at the same time make a small donation to the cause of charity.

Mrs. Eisenman's Luncheon.

Mrs. Eisenman gave a coffee at her home, 857 East First street, yesterday afternoon, forty-five ladies being in attendance. An elegant luncheon was served and the afternoon was spent in a delightful, informal fashion.

It is the custom of the Jewish ladies of this city to give a coffee once a month, the proceeds of which are used for charitable purposes by the Hebrew Relief society. The affairs are always very successful, and have all the attractions of distinctly social functions, the best Jewish society always being well represented.

St. Mark's Guild.

The ladies of St. Mark's deserve a hearty "well done." The Christmas sale at the school house which closed last evening has proven an unqualified success. But a few articles remained and the receipts made a goodly sum.

The boys were all artistic, some of the bits of fancy work sold being exquisite. A visitor remarked that every annual market held by the guild was better than the last.

To the Public.

Having again engaged in business I would be glad to meet my friends. I will be my endeavor, as in times past, to give all first-class attention with first-class goods. My new location is at 154 South Main street.

CHARLES AUER.

Burlington Route Clerical Permits for 1894.

Regularly ordained and licensed ministers, who desire half-rate permits for 1894 over the Burlington route lines, should apply on or before Jan. 1, to the undersigned.

W. S. McMillan, General Agent, Burlington Route, Salt Lake City, Utah.

Ballard's Horsehead Syrup.

We guarantee this to be the best cough syrup manufactured in the whole world. This is saying a great deal, but it is true. For consumption, pneumonia, colds, sore throat, croup, whooping cough, and all diseases of the throat and lungs, we positively guarantee Ballard's Horsehead Syrup to be without an equal on the whole face of the globe. In support of this statement we refer to every individual who has ever used it, and to every druggist who has ever sold it. Such evidence is indisputable. Sold by Z. C. M. I. Drug Dept.

Notice.

The Salt Lake Stake Relief society quarterly conference will be held in the Fourteenth ward assembly room, in this city, on Friday, December 15, 1893, meetings commencing at 10 a. m. and at 2 p. m. As this is an important time, there being much need of relief among the people in the several wards, it is urgently requested that there be a representation from each branch present, to hear the instruction that is likely to be given in reference to caring for the needy; that there may be no suffering among the people that can be avoided. A cordial invitation is also extended to all interested in this benevolent work.

MARGARET A. CAINE, Secretary.



Mrs. Annie W. Jordan

Of 185 Tremont St., Boston, was in very poor health, from bad circulation of the blood, having much of the head, numb spells, and chills, and the physician said the veins were almost bursting all over her body. A cold with a double runner brought on neuritis of the liver, causing great suffering. She could not take the doctor's medicine, so took

Hood's Sarsaparilla

and soon fully recovered, and now enjoys perfect health. She says she could praise Hood's Sarsaparilla all day and then not say enough.

HOOD'S PILLS are hand made, and are perfect in connection, properties and appearance.

CURE THAT COUGH WITH SHILOH'S CURE

SHILOH'S CATARRH REMEDY. Have you Catarrh? This remedy is guaranteed to cure you. Price, 50c. Injector free.

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Early Christmas Slipper Sale.



MEN'S

Velvet Embroidered Patent Leather Trimmed Slipper, worth \$1.50; cut to

75 Cents.

Men's Brown Velvet Hand Turned Slippers. Always Sold for \$2.00. Cut to

Men's Hand-Sewed Fine Kid Slipper, in Black, Op. era Cut. Regular Price \$2.50. Now

Boys' Wine Colored Goat, Patent Leather Trimmed Slipper, Regular Price \$2.00. Cut to

\$1.45.

Ladies' Fancy House Slipper, Hand-Sewed, made of Olive Green Plush. Price

Ladies' Felt Warm-Lined Slipper, with Fur Trimming, in Black only. Regular Price \$2.25. Cut to

\$1.45.

LADIES'

Warm - Lined Black Felt House Slipper. Hand Turned Very Comfortable. Regular Price \$1.50, Cut to

95c.

Men's Fine Tan Goat Slippers. Opera Cut, Hand-Turned. Always Sold for \$3.00. Now

Men's Very Fine Dongola Kid Slippers in Black and Tan, Hand-Sewed, Patent Leather Trimmed. Always Sold for \$3.50. Now

\$2.45.

MEN'S

Elastic Side Nullifiers or Julius, Plain Front, Hand-Sewed, An Elegant Christmas Present, for only

\$2.45.

Walker Bros. & Fyler Co.

James-Spencer-Bateman Co.

Successors to DAVID JAMES & CO.,

PLUMBERS, TINNERS,

Steam and Gas Fitters,

We also carry a complete line of Gem and Peninsular Stoves

and Ranges, Gasoline and Oil Stoves, Tinware, Granite

Iron Ware and House Furnishing Goods.

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ROCKY MOUNTAIN.

BOYS, YOUTH'S, MISSES', CHILDREN'S AND INFANTS'

SHOES.

Are Superior to All Others.

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155 Main St., Salt Lake City, Utah; 2461 Washington Ave., Ogden, Utah.

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GUNS, RIFLES, PISTOLS, AMMUNITION,

Fishing Tackle, Tents, Hammocks, etc. Baseball, Lawn Tennis and Cricket